

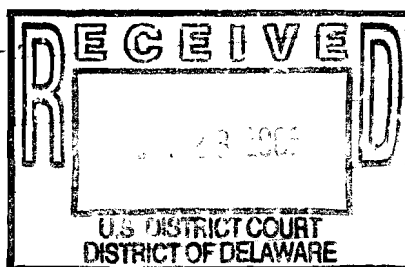
IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

VS.

CA NO. 04-1350(GMS)

DR. SYLVIA FOSTER, ET AL



PLEADINGS AND EXHIBITS  
IN SUPPORT OF MOTION  
FOR PRELIMINARY INJUNCTION #2  
PURSUANT TO FED R. CIV P #65

DATE: 4/22/08

*Jimmie Lewis*  
SDI # 506622  
D.C.C.  
1181 Paddock Rd  
Smyrna, DE 19977

15.) D. CC OFFICERS ARE STOCKPILING FABRICATED SLANDEROUS INCIDENT REPORTS AGAINST ~~MAN~~ PLAINTIFF, IN ORDER TO OBTAIN AN UNFAIR TACTICAL STRATEGIC ADVANTAGE REGARDING CIVIL COMPLAINT FILED AGAINST DEFENDANTS, I-R, DISCOVERY, AND TO HARASS PLAINTIFF SEEKING TO PLACE CRIMINAL CHARGES AGAINST HIM WITHOUT PROVIDING HIM WITH FAIR DUE PROCESS, ("IRREPARABLE HARM INEVITABLE.")

1ST, 8TH AND 14TH U.S. CA VIOLATIONS

14.) LT PETER FORBES BLACKBOXED AKBAR HASSENEZ ~~AM~~, CHRIS DOUGHERTY AND DWAYNE PORTER FOR 24 HOURS IN SHACKLES AND HANDCUFFS.

13.) FOR AN ORDER TO TRANSFER PLAINTIFF TO HIS LEVEL IV COMMITMENT, FOR WHICH STARTED 12/9/07.

17) PLAINTIFFS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS WERE VIOLATED, DUE TO DEFENDANTS FAILING TO CONDUCT A COMPETENCY HEARING AND OR AN OFFICIAL COURT ORDER, PLAINTIFF HAS NOT BEEN DEEMED COMPETENT TO BE SUBJECTED TO D.C.C. ON 12/14/07, AND VIOLATED HIS LIBERTY/INTEREST TO RECEIVE TREATMENT.

6TH, 8TH 14TH U.S.C.A VIOLATION  
VIOLATION OF 11 DEC C § 6525, 6517

16) ON 12/14/07 AT THE D.P.C., CPL IKE DORRIS AND C/O JELLIFFE CHOKED PLAINTIFF, AND DRAGGED HIM 30 TO 40 FEET WHILE TUGGING ON ~~SHACKLES~~ SHACKLES AND HANDCUFFS. WITHOUT JUST CAUSE.

8TH U.S.C.A VIOLATION  
VIOLATION OF 11 DEC C 6535, 6536, 6525.

19) THE PLAINTIFF HEREBY REQUEST THIS HONORABLE COURT TO CONSIDER RESPONDING MOTION(S) AS AFFIDAVITS, DISCOVERY, ADMISSIONS IN SUPPORT OF PLAINTIFFS CONTENTION ~~IN~~ REGARDING HIS MOTION FOR PRELIMINARY INJUNCTION.

18) MR. GIBBS AFTER CONVERSING WITH DR. A CANNULI ABOUT PLAINTIFF ON 2/27/08, INSTRUCTED SECURITY TO PLACE PLAINTIFF IN THE WHOLE (KNOWING SAID ORDER WAS IN VIOLATION OF D.C.C S.O.P OF 24 HRS LEVEL 1, 24 HOURS LEVEL 2, 24 HRS LEVEL 3, 24 HRS LEVEL 4, FOR WHICH COULD HAVE REMEDIED SAID INCIDENT), SECURITY VIEWED MR GIBBS ~~AND~~ INSTRUCTION AS MENTAL HEALTH TREATMENT, AND THEREAFTER HANDCUFFED - SHACKLED WITH BLACKBOX FOR 24 HRS.

SWOLLEN WRIST - ANKLES - SLIPPED DISK IN NECK AND LOWER BACK, THROBING PAIN UP TO DATE DAILY.

8TH U.S.C.A VIOLATION, CIVIL ASSAULT AND BATTERY VIOLATION OF 11 DEZ C 6535, 6525, 6531, 6524

20) THE DEFENDANTS PLEADINGS STATE THAT PLAINTIFF WAS MEDICALLY DIAGNOSED AS NOT HAVING ANY MEDICAL DISEASES AROUND HIS BEING ADMITTED INTO THE D.C.C INFIRMARY ON 12/14/07, BUT ON 12/24/07, BIO REFERENCE LABORATORIES INDICATE THAT PLAINTIFF'S FINGER WAS INFECTED WITH HEAVY GROWTH OF BETA HEMOLYTIC ~~STREPT~~ STREP B. SAID DISEASE WAS CAUSED BY THE FILTHY ROOM DEFENDANTS PLACED PLAINTIFF IN, FOR WHICH WAS COVERED WITH FECES, URINE, HEMOLYTIC STREP B BACTERIA, MUCUS - PHLEGM. SAID ROOM HAS NO SINK TO WASH HANDS BEFORE AND OR AFTER MEALS OR UTILIZING THE WHOLE IN THE FLOOR, AND ~~DEFENDANTS~~ DEFENDANTS DENIED PLAINTIFF'S REQUEST TO WASH HIS HANDS. ANTIBIOTICS, CLINDAMYCIN AND BACTRIM WERE PRESCRIBED DUE TO THE SERIOUSNESS OF THE INFECTION. THE FINGER IS DISCOLORED, SWOLLEN, CONSTANTLY THROBS WITH PAIN

8TH U.S.C.A VIOLATION

VIOLATION OF 11 DEL C § 6536, 6504, 6502,

- 26) REQUEST FOR AN IMMEDIATE ORDER FOR RESTRAINING ORDER ON DEFENDANTS
- 25) AN IMMEDIATE ORDER FOR INTERPRISON INTERSTATE TRANSFER TO N.J, PA OR VA.
- 24) 20 MILLION DOLLARS IN PUNITIVE, COMPENSATORY, EXEMPLARY DAMAGES FOR PAIN & SUFFERING CAUSED BY DEFENDANTS
- 23) FOR SAID INJUNCTION TO BE DEEMED SUPPLEMENTAL PLEADINGS
- 22) FOR AN ORDER GRANTING A ~~ON~~ SCHEDULE FOR DISCOVERY, INTERROGATORIES, ADMISSIONS, WRITTEN DEPOSITION,
- 21) FOR AN IMMEDIATE ORDER FOR TRANSFER TO MENTAL HEALTH FACILITY OUT OF STATE PENDING A HEARING FROM THIS HONORABLE COURT REGARDING TREATMENT AND COMMITMENTS.

29) DEFENDANTS FAILED TO MENTION ANYTHING ABOUT THEIR NOT HAVING AN OFFICIAL COURT ORDER TO TRANSFER PLAINTIFF FROM DPC TO DCC ON 12/14/08, FOR WHICH WAS DONE TO CAUSE PLAINTIFF IRREPARABLE HARM FOR FILING CIVIL COMPLAINT 1ST, 8TH, 6TH AND 14TH USCA VIOLATION.

28) CPL IKE DORRIS AND C/O JELLIFFE WERE CAUGHT ON VIDEO ~~THE~~ SURVEILLANCE ASSAULTING PLAINTIFF AT THE DPC ON 12/14/08, IN ORDER TO TRANSFER HIM BACK TO THE D.C.C, IN ORDER TO CAUSE HIM IRREPARABLE HARM FOR FILING CIVIL COMPLAINT 1ST, 8TH, 6TH AND 14TH USCA VIOLATION

27) D.C.C SOP FOR PSYCH OBSERVATION  
 LEVEL 1, 24 HOURS.  
 LEVEL 2, 24 HRS.  
 LEVEL 3, 24 HRS.  
 LEVEL 4, 24 HRS, DISCHARGE.

32) LT JAMES SATTERFIELD HAS REPEATEDLY DENIED ME LEGAL PHONE CALL AFTER PLAINTIFF PROVIDED HIM WITH NUMEROUS LEGAL PHONE CALL REQUEST SLIPS, FORM 883

31) PER DR. ANTHONY DONAHUE D.P.C. ORDER, DEFENDANTS ~~THE~~ DELIBERATELY DENIED PLAINTIFF HIGH LEVEL OF PSYCH OBSERVATION DUE TO PLAINTIFF FILING CIVIL COMPLAINT.

1ST, 8TH AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEL C 6535, 6525, 6524,

30) THE HOUSING UNIT OFFENDER DOCUMENT SHOWS TRANSFERS FROM CELL 5 TO CELL 7, DATE 2/27/08, FOR WHICH IS WHEN BLACKBOX 24 HRS OCCURED.



35) NANETTE BORDLEY, DEFENDANT @A NO 05-0136MS  
FABRICATED CONDUCT DISORDER TO GAIN UNFAIR  
STRATEGIC ADVANTAGE, AS WELL AS TO  
HARASS THE PLAINTIFF.  
(DENIED BY PLAINTIFF).  
1<sup>ST</sup>, AND 14<sup>TH</sup> U.S.C.A VIOLATION  
VIOLATION OF 11 DEL 6536

34) IF DEFENDANTS WOULD HAVE FOLLOWED  
THE D.C.C SOP FOR PSYCH OBSERVATION  
24 HRS ~~PSYCH~~ PSYCH OBSERVATION LEVEL 1  
24 HRS LEVEL 2, 24 HRS LEVEL 3.  
BEFORE PLAINTIFF IS ALLOWED TO CONTRACT SAFETY.  
8<sup>TH</sup> U.S.C.A VIOLATION  
VIOLATION OF 11 DEL C 6535.

33) PLAINTIFF DENIES THAT MENTAL HEALTH  
STAFF WAS ABLE TO REDIRECT HIM BACK INTO  
HIS ASSIGNED CELL, PLAINTIFF WAS FORCED INTO  
CELL ONCE HE INFORMED MENTAL HEALTH  
AND SECURITY THAT HE WAS SUICIDAL, I.E,  
AND A THREAT TO HIMSELF AND OTHERS.

37) PLAINTIFF'S ACTIONS AS STATED BY DEFENDANTS IN THEIR RESPONDING MOTIONS, VALIDATE PLAINTIFF SHOULD NOT BEEN RETURNED TO THE DCC WITHOUT AN OFFICIAL NCC SUPERIOR COURT ORDER, DUE TO DEFENDANTS DEEMING PLAINTIFF BEHAVIOR AS INAPPROPRIATE AND A VIOLATION OF DCC RULES AND REGULATIONS.

SEE DISCIPLINARY HISTORY OF PLAINTIFF AT D.C.C.

6TH AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEL C 6531, 6525, 6524, 6536.

36 DEFENDANTS FAILURE TO RESPOND ONE HUNDRED NINE MINUTES, CAUSED PLAINTIFF SITUATION TO DETERIORATE, DUE TO THEIR DELIBERATE INDIFFERENCE, PLAINTIFF COULD HAVE BEEN IRREPARABLE HARMED, DUE TO PLAINTIFF FILING COMPLAINT. SEE DR# 1038652 AND DR# 1038667 THE FIRST IS TIMED AT 10:11 AM AND THE SECOND IS TIMED AT 11:25 AM.

1ST, 8TH AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEL C 6525, 6517, 6531, 6536

- 41) MR GIBBS GOT HIS ORDERS DIRECTLY FROM DR ANTHONY CANNULI ON 2/27/08, THEREFORE DR. A CANNULI IS LIABLE
- 46) IF DEFENDANTS BELIEVED PLAINTIFF WAS MALINGERING, WHY DID DCE ~~THE~~ PSYCHIATRIST DR. KIMBERLY WATSON KEEP PLAINTIFF ON PSYCH OBSERVATION IN THE DCC INFIRMARY FOR LEVEL FOR 7 WEEKS.
- 39) DR. DE ROSE 2/28/08 MEDICAL RECORDS EXHIBIT (M), STATE PLAINTIFF WAS CUFFED SINCE YESTERDAY. SUPPORTS PLAINTIFF CLAIMS OF BEING BLACKBOXED FOR 24 HOUR WITH SHACKLE AND HANDCUFFS.
- 38) DEFENDANT LARRY SAVAGE CHANGED DISCIPLINARY REPORT # 1038667 FROM APPEAL SOUGHT TO APPEAL NOT SOUGHT. BECAUSE OF CIVIL COMPLAINT PLAINTIFF FILED AGAINST HIM  
1ST AND 14TH USCA VIOLATION  
VIOLATION OF 11 DEC C 6535

44) PLAINTIFF NEVER PERSONALLY MET, SEEN OR TALKED WITH DR. KAREN KOVACIC PRIOR TO 12/12/07 NOR AFTER 12/12/07

43) ON 2/27/08 AT OR ABOUT 8:00 AM.

AT THE D.C.C. ~~DEMAND~~ DR. ANTHONY CANNULI USED MR. GIBBS AS A PAWN, BY INSTRUCTING MR. GIBBS TO DENY THE PLAINTIFF ADMISSION INTO THE D.C.C. INFIRMARY, IN HOPE PLAINTIFF WOULD SUFFER IRREPARABLE HARM DUE TO HIS DENIAL, BECAUSE PLAINTIFF FILED CIVIL COMPLAINT AGAINST HIM

1<sup>ST</sup>, 8<sup>TH</sup> AND 14<sup>TH</sup> USCA VIOLATIONS  
VIOLATIONS OF 11 DEL C § 6525, 6531, 6536, 6524, 6502, 6504.

42) DEFENDANTS REMOVED MR. GIBBS FROM HIS DUTY AT THE SHU UNITS, BECAUSE THEY KNOW HIS MENTAL HEALTH INSTRUCTIONS DEFINE DELIBERATE INDIFFERENCE AND DEFENDANTS FAILURE TO TRAIN, ACT OR CORRECT, BECAUSE PLAINTIFF FILED CIVIL COMPLAINT  
1<sup>ST</sup>, 8<sup>TH</sup> USCA VIOLATION  
VIOLATION OF 11 DEL C 6517, 6525, 6536, 6524, 6502, 6502

45) ATYPICAL AND SIGNIFICANT HARDSHIP  
FROM 12/14/07 UP TO DATE.

DUE TO DEFENDANTS VIOLATING PLAINTIFF  
LIBERTY INTEREST ESTABLISH WHEN JUDGE ABLEMAN  
GRANTED DR CAVANNAUGH'S 5/17/07 MOTION TO TRANSFER  
PLAINTIFF TO D. P. C. FROM FOR A COMPETENCY EVAL  
AND TREATMENT FOR HIS VERY OWN WELL BEING, WHEN  
DEFENDANTS ON 12/14/07 TRANSFERRED PLAINTIFF  
AGAINST HIS WILL, WITH EXCESSIVE FORCE, BACK TO DCC  
WITHOUT FIRST CONDUCTING A COMPETENCY HEARING  
AND OR OBTAINING AN OFFICIAL COURT ORDER FROM  
JUDGE ABLEMAN, ID NO 0305016966, NCC S.C.T.,  
DEFENDANTS PLACED PLAINTIFF IN THE SHU WITHOUT  
CONDUCTING A HEARING TO PROVIDE HIM WITH WRITTEN  
NOTICE, KNOWING HE WAS EXPERIENCING SERIOUS EMOTIONAL  
DISTRESS OF AGONY - GRIEF AND DISPAIR, AND WAS RECEIVING  
TREATMENT FOR AT THE ~~DCC~~ D P C, AND PLACED PLAINTIFF  
IN SHU WITHOUT PROVIDING TREATMENT HE WAS RECEIVING  
AT D P C, AUDIO THERAPY, ART THERAPY, ANGER MANAGEMENT,  
PSYCHOTHERAPY FROM PSYCHIATRIST, SOCIAL THERAPY,  
COUNSELING, PER DCC THERAPY FOR ALLEGED INAPPROPRIATE  
SEXUALITY, DAILY OUTDOOR REC, HIGH PROTEIN VEGETARIAN  
DIET, ~~WEIGHT~~ WEIGHT TRAINING UNLIKE HEREAT THE DCC SHU  
BECAUSE FILED CIVIL COMPLAINT.

1<sup>ST</sup>, 6<sup>TH</sup>, 8<sup>TH</sup> + 14<sup>TH</sup> USCA VIOLATIONS  
VIOLATION OF 11 DEL C 6517, 6525, 6504, 6531.

#47) PLAINTIFFS CLASSIFICATION TO SNU,  
 SPECIAL NEEDS UNIT FOR 1 YEAR ~~BA~~  
 ESTABLISHED HIS PROTECTED LIBERTY INTEREST.  
 PRIOR TO HIS BEING TRANSFERRED TO DPC  
 ON 6/6/07, AND DEFENDANTS SHOULD HAVE  
 CONDUCTED A HEARING PROVIDING PLAINTIFF WITH  
 WRITTEN NOTICE, ETC PRIOR TO PLACING HIM  
 IN SNU. WITHOUT TREATMENT ACCESS. LIKE  
 OTHER INMATES WHO ATON RETURN FROM DPC  
 GET TREATMENT ON GENERAL POPULATION OR SNU  
 8TH & 14TH USCA VIOLATION

#46) DUE TO DELIBERATE INDIFFERENCE  
 DEFENDANTS DID NOT PETITION TO THE COURT  
 FOR HIGHER PSYCHIATRIC OBSERVATION OF  
 PLAINTIFF, DUE TO THEIR FAILURE TO ~~SA~~  
 STABILIZE HIM AFTER 30 DAYS IN THE PSYCH ROOM,  
 IN D.C.C INFIRMARY, IN ACCORDANCE TO D.C.C S.O.P.  
 SAID FAILURE CAUSED PLAINTIFF ATYPICAL + SIGNIFICANT HARSHIP  
 8TH USCA VIOLATION  
 VIOLATION OF 11 DELC 6525, 6536, 6517

# 48.) THE PLAINTIFF DID NOT SEEK TO BE PLACED ON PROTECTIVE CUSTODY, EXCLUSIVELY BECAUSE OF INMATES, BUT BECAUSE OF OFFICERS WHO COMMISSION INMATES TO DO IRREPARABLE HARM TO PLAINTIFF.

# 49.) ENOUGH EVIDENCE HAS BEEN SUBMITTED AND OR OBTAINED THUS FAR; FOR THIS HONORABLE COURT TO GRANT PLAINTIFFS AMENDED PLEADINGS FOR PRELIMINARY INJUNCTION IN ALL ASPECTS.

# 50.) DEFENDANTS DURING EARLY APRIL 2008 BEGAN ASSIGNING 12 AM TO 8 AM SHIFT OFFICERS, A TEAM OF MUSCULAR OFFICERS I.E., TALL AND SHORT IN STATURE), WHO HAVE BEEN ON DUTY IN THE IMMEDIATE AREA, WHEN IRREPARABLE HARM HAS BEEN INFLICTED UPON INMATES; I.E., AN INMATE THAT ALLEGEDLY HUNG HIMSELF WHEN DCC FAILED TO RELEASE HIM WHEN THEY WERE SUPPOSE TO, WITH A MYSTERIOUS GASH ON HIS HEAD, I.E., WITH THE EIGHT INCH METAL PIPE USED FOR AN OPENING DOOR-CELLS IN THE SHU; CIRCUMSTANTIALLY IRONIC. THIS ALONG WITH THE INMATE WHO WAS TRANSFERRED TO DCC INFIRMARY. FROM SHU 18 C UNIT LOWER(S)? DIED FROM SOME MYSTERIOUS "BACTERIA" DUE TO INTERNAL BLEEDING, BUT THE INMATE NETWORK SYSTEM CONTRADICTS THE AFOREMENTIONED, STATING INMATE DIED DUE TO BLUNT FORCE TRAUMA TO THE BODY AFTER HE ALLEGEDLY THREW URINE ON NURSE TONYA COLLINS.

THOSE OFFICER ARE NOW ON DUTY 12 TO 8 SHU 17.

SGT WILLIAMS IS USUALLY THE BUILDING SGT ON DUTY.



- #51.) VIDEO SURVEILLANCE IS NOT UTILIZED WHEN EXTRACTING AN ALLEGED UNRULLY INMATE FROM ASSIGNED CELL WHO ARE IN SHU 17 AND SHU 19, FOR WHICH TURNS INTO A MATTER OF CREDIBILITY WHEN CLAIMS ARE MADE.
- #52.) VIDEO SURVEILLANCE IS UTILIZED WHEN EXTRACTING AN ALLEGED UNRULLY INMATE FROM ASSIGNED CELL WHO ARE IN SHU 18 ON CUNIT, CLASSIFIED TO BE ON PROTECTIVE CUSTODY.
- #53] THE DEFENDANTS HAVE FAILED TO PROVIDE THE PROTECTIVE CUSTODY POLICY, TO SUPPORT THEIR CLAIMS AS STATED IN THEIR RESPONSE, NEEDED TO DETERMINE IF THEY HAVE VIOLATED THE PLAINTIFF.
- #54) SINCE 1/22/08, THE DEFENDANTS UTILIZING THE PLAINTIFFS DIAGNOSES OF MALINGERING FROM D.P.C PSYCHIATRIST, TO MEAN THAT THE PLAINTIFF IS NOT PSYCHOTIC AND OR SUICIDAL, SUPPORTS HIS CLAIMS HEREIN.
- #55) THE DEFENDANTS HAVE NOT SUBMITTED PLEADING THAT THEY HAVE NOT DELIBERATELY KEEP FROM PLACING PLAINTIFF ON THE PROTECTIVE CUSTODY UNIT, BECAUSE IT'S EASIER TO CAUSE PLAINTIFF IRREPARABLE HARM ON OTHER SHU UNITS, 17 AND 19.



#56.) DEFENDANTS HAVE ACCESS TO PLAINTIFFS PLEADINGS, EXHIBITS, MOTIONS, AFFIDAVITS, VIA CM/ECF SYSTEM, AND THEY WILL NOT BE PREJUDICED BY THIS HONORABLE COURT UTILIZING SAID EVIDENCE IN THIS MATTER.

#57.) DEFENDANTS SHOULD BE FINED DAILY MONETARY SANCTIONS FOR THE DELAY AND OR FAILURE TO ADHERE TO ANY AND ALL ORDERS SUBMITTED HEREIN, IN ACCORDANCE TO FED R. CIV P# 37.

# 58.) IN SUPPORT OF PLAINTIFF'S SAFETY CONTENTION REGARDING LT PETER FORBES, ON OR ABOUT APRIL 14, 08 IN THE COURSE OF EXTRACTING INMATE DWAYNE PORTER SHU 17 A L 11, IN ORDER TO TRANSFER SAID INMATE TO SOLITARY CONFINEMENT ON SHU 18 C UNIT, THE PLAINTIFF PERSONALLY WITNESSED LT P. FORBES KICK INMATE PORTER IN HIS FACE WITH HIS STEEL TOE BOOTS, WHILE INMATE PORTER WAS LYING ON THE FLOOR SHACKLED AND HANDCUFFED. SUBSEQUENTLY, INMATE DWAYNE PORTER WAS SHACKLED AND HANDCUFFED WITH BLACKBOX PER LT FORBES.

FURTHERMORE, LT PETER FORBES ALSO IS RESPONSIBLE FOR SHACKLE AND HAND CUTTING AKBAR HASSENEI AND ~~ON~~ CHRIS DOUGHTY. AFTER ESCORTING THEM TO BUILDING 18 SIU @ UNIT, ("AMMUNITION").

#59.) THE PLAINTIFF HAS A USCA RIGHT TO WANT AND OR RECEIVE "BETTER MEALS", ESPECIALLY DUE TO HIS PRESENT CUSTODIANS SERVING HIM SPOILED FOOD, MILDEWED FOOD, FOOD PRESENTING WITH AND TASTING LIKE CLEANING CHEMICALS, ON ~~DIRTY~~ TRAYS THAT ARE GRIMMY WITH SLIMY AND OR DIRTY MATTER.

#60.) DEFENDANTS VIA CANO'S 06-778 (GMS), 04-1350 (GMS) AND 05-013 (GMS), HAVE BEEN MADE FULLY AWARE OF PLAINTIFFS MEDICAL AND MENTAL HEALTH CONTENTIONS & AS WELL AS BY WAY OF WRITTEN NOTATIONS, SICK CALL REQUEST SLIPS, FOR WHICH DEFINE PLAINTIFF EXPLAINING ALL OF HIS MENTAL HEALTH AND OR MEDICAL CONTENTIONS AT ANY GIVEN TIME AT ONCE AS CUMBERSOME, UNREASONABLE AS WELL AS FUTILE.

#61.) THE DEFENDANTS HAVE FAILED TO PROVIDE THE D.C.C, .S.O.P POLICY FOR PSYCH OBSERVATION 1, 2+3, TO SUPPORT THERE CLAIMS THAT THEY ARE NOT IN VIOLATION OF THE PLAINTIFFS USCA RIGHTS AND OR UNDER COLOR OF STATE LAWS.

#69) DEFENDANTS HAVE FAILED TO GIVE PLAINTIFF A DISCIPLINARY HEARING WITHIN 3 TO 7 DAYS, ABSENT EXTRAORDINARY CIRCUMSTANCES, FOR WHICH VIOLATES HIS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS, AND GIVES REASON WHY ALL OF THE PLAINTIFFS SANCTION SHOULD BE RESCINDED DUE TO VIOLATIONS OF PLAINTIFFS 14TH USCA RIGHTS AND HIS RIGHTS UNDER 11 DEL C § 6535, (#'S 1038667 AND #1038652).

#70) DEFENDANTS HAVE FAILED TO GIVE PLAINTIFF A DISCIPLINARY HEARING WITHIN 15 DAYS, ABSENT EXTRAORDINARY CIRCUMSTANCES, FOR WHICH VIOLATES HIS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS, AND GIVES REASON WHY ALL OF THE PLAINTIFFS SANCTION SHOULD BE RESCINDED DUE TO VIOLATIONS OF PLAINTIFFS 14TH USCA RIGHTS AND HIS RIGHTS UNDER 11 DEL C § 6535, (#'S 1038667 AND #1038652).

#71) LT KAREN HAWKINS AND LT JAMES SATTERFIELD HAVE ISSUED MEMORANDUMS DEFINING LIBEL + SLANDER, ~~THAT~~ AGAINST PLAINTIFF, FOR STAFF TO DENY PLAINTIFF LEGAL PHONE CALLS AND TELEVISION, AND FOR THEM TO TREAT PLAINTIFF UNLIKE OTHER INMATES. BECAUSE HE FILED CIVIL COMPLAINTS AGAINST DEFENDANTS.  
1ST AND 14TH USCA VIOLATION.  
VIOLATIONS OF 11 DEL C, 8504, 6502, 6517

# 22.) DEFENDANTS HAVE FAILED TO ACT, CORRECT REGARDING BRIAN ENGRAM, THE LAW LIBRARIAN. FAILURE TO PROVIDE PLAINTIFF WITH PROPER LEGAL ASSISTANCE, FOR WHICH CAUSED PLAINTIFF IRREPARABLE HARM, I.E., DENIAL OF HIS FIRST POSTCONVICTION MOTION SEE; LEWIS V. STATE, 2006 DEL LEXIS 654, (DEL DEC 12, 2006.). BRIAN ENGRAM FAILED TO PROVIDE PLAINTIFF WITH PHOTO COPIES AND MAILING SUPPLIES IN AN EXPEDITE MANNER IN REGARDS TO ~~MAINTAIN~~ PROVIDING HIM WITH SAID LEGAL MATERIAL TWO WEEKS PRIOR TO DEADLINE AND GIVING HIM NOTICE OF DEADLINE, AND HIS INABILITY TO OBTAIN MAILING SUPPLIES DUE TO HIS INDIGENT STATUS. SAID FAILURE RESULTED IN PLAINTIFFS APPEAL BEING DENIED AS UNTIMELY, (83 CONTENTION), FOR WHICH WOULD HAVE REVERSED PLAINTIFFS CONVICTION.

GRIEVANCES WERE FILED.

1<sup>ST</sup> USCA RIGHT VIOLATION  
 VIOLATION OF 11 DEL C § 6517, 6502, 6504

# 73 INJURIES ; CAUSED BY DEFENDANTS, VIOLATIONS OF  
11 DEC C § 6517, 6536, 6502, 6504, 6525, 8TH USCA RIGHT VIOLATIONS:

- 1.) 38 POUND WEIGHT LOSS DUE TO  
ATYPICAL AND SIGNIFICANT HARDSHIP.
- 2.) SWELLING TO WRIST, LEGS, (SHOULDER - LEFT),  
"SLIPED DISK IN NECK AND LOWER BACK."
- 3.) PERSISTING HEADACHES
- 4.) PARANOIA, DELUSIONS, HALUCINATION
- 5.) SWOLLEN TONGUE, CAUSING SPEECH  
PROBLEMS, TROUBLE BREATHING AND EATING.  
38 POUNDS WEIGHT LOSS IN 90 DAYS.
- 6.) INCOMPETENCE, I.E., RECIDIVISM
- 7.) ANTI-SOCIAL BEHAVIOR
- 8.) EAR-RINGING.
- 9.) BLACKOUTS
- 10.) EMOTIONAL DISTRESS, I.E.,  
38 POUND WEIGHT LOSS IN 90 DAYS

- 11.) NERVE DAMAGE TO BRAIN
- 12.) HYPERTENSION
- 13.) MILD NUTRITION, DUE TO POISONOUS FOOD  
CAUSING VOMITTING, NAUSEA, LOSS OF APPETITE.  
38 POUND WEIGHT LOSS.
- 14.) THICK YELLOWISH GREEN PHLEGM,  
IN CHEST.
- 15.) ~~INTESTINAL~~ HERNIA, GUINAL
- 16.) DRY SKIN ON FEET, CRACKED SEVERELY
- 17.) SEVERE TOE NAIL FUNGUS.
- 18.) LACTOSE INTOLERANCE, PROTEIN DEFICIENCY.  
38 POUND WEIGHT LOSS IN 90 DAYS
- 19.) RED MEAT VEGETARIAN, I.E., PROTEIN  
DEFICIENCY, 38 POUND WEIGHT LOSS IN 90 DAYS.
- 20.) TISSUE EDEMA IN HANDS AND FEET,  
DUE TO BLACKBOX SHACKLES AND  
HANDCUFFS.

- 21.) ATHLETES FEET, ITCHY
- 22.) HIGH ANXIETY.
- 23.) DEPRESSION!
- 24.) 50 DAYS OF GOOD TIME, AND  
30 DAYS OF ISOLATION.
- 25.) ~~OWN~~ CONDEMNATION, HUMILIATION,  
DEGRADATION, SEGREGATION, DISCRIMINATION  
DUE TO FAILURE TO PROVIDE LESS  
RESTRICTIVE CONFINEMENT SUCH AS :  
WORK RELEASE ; GENERAL POPULATION,  
SNU, OR LEVEL IV PRISONER CENTER.
- 26.) FAILING VISION, DUE TO POORLY  
LITE QUARTERS.
- 27.) IRREPARABLE HARM CAUSED BY  
LAW LIBRARIAN, SEE # 72 HEREIN.
- 28.) THROBING PINKY FINGER, ACHES CONSTANTLY,  
PRESENTS AS DISCOLORED AND DISTORMED.

#74.) DEFENDANTS SENTENCING ORDER ESTABLISH HIS LIBERTY INTEREST RIGHT TO BE PROVIDED WITH MENTAL HEALTH THERAPY, (6TH USCA RIGHT).

#75.) WHILE THE PLAINTIFF WAS SITTING AND HANDCUFFED WITH BLACKBOX, HE FELL TO FLOOR "TWICE" WHEN HE TRIED TO STAND UP, THIS IS WHEN PLAINTIFF HURT HIS NECK AND LOWER BACK. 8TH USCA VIOLATION.

VIOLATION OF 11 DEL C § 6517, 6502, 6504, 6525, 6524, 6536

#76.) REQUEST FOR ORDER OF DAILY MONETARY FINES FOR DEFENDANTS DELIBERATE DELAY AND OR FAILURE TO ADHERE TO ANY AND OR ALL ORDERS SUBMITTED HEREIN BY THIS HONORABLE COURT OF \$150.00, FOR EACH ORDER DEFENDANTS ARE IN CONTEMPT OF.

#77.) D.C.C OFFICER GREGORY PIERCE SINCE 1/22/08, SINCE PLAINTIFF'S ARRIVAL TO SITU 17, A UNIT, HAS LAUNCHED A DILIGENT CAMPAIGN AGAINST PLAINTIFF, FOR DEFENDANTS TO CRIMINALLY CHARGE PLAINTIFF FOR D.C.C INFRACTIONS, REGARDLESS OF D.C.C S.O.P, DUE TO PLAINTIFF FILING CIVIL COMPLAINTS AGAINST DEFENDANTS, (SEE DISCIPLINARY REPORTS #1038652 AND #1038667),

14TH, 1ST AND 8TH USCA RIGHT VIOLATIONS

VIOLATIONS OF 11 DEL C § 6536, 6502, 6504, 6517, 6531, 6524.



#78.) SINCE THE PLAINTIFFS TRANSFER BACK TO D.C.C FROM D.P.C ON 12/14/07, DR. ANDREW DONAHUE HAS BEEN FIRED FROM D.P.C., DUE TO THE DELIBERATE INDIFFERENCE OF ABUSE, NEGLECT, MISTREATMENT AND ASSAULT DESCRIBED IN THE 100 OR MORE GRIEVANCES FILED BY THE PLAINTIFF DURING HIS 6/6/07 THRU 12/14/07 STAY AT THE D.P.C, FOR THE PLAINTIFF FILING CIVIL COMPLAINT CA NO. 04-1350 (GMS), AGAINST D.P.C STAFF MEMBERS. 1ST, 8TH U.S.C.A VIOLATIONS, CIVIL ASSAULT AND BATTERY

#79.) DEFENDANTS REFUSED TO MONITOR PLAINTIFF FOR PSYCH OBSERVATION IN THE D.C.C INFIRMARY ON 2/27/08, BECAUSE THE D.C.C INFIRMARY HAS FULLY OPERATIONAL SURVEILLANCE CAMERAS, DOORS THAT MUST BE OPENED MANUALLY, AS WELL AS MENTAL HEALTH TREATMENT THAT WOULD HAVE STABILIZED PLAINTIFF, (IN A ~~PRO~~ PROTECTIVE CUSTODY TYPE OF CONFINEMENT).

#80.) FOR AN IMMEDIATE ORDER TO PLACE THE PLAINTIFF ON FEDERAL WITNESS PROTECTION STATUS.

#81.) PLAINTIFF HEREBY REQUEST FOR THIS HONORABLE COURT TO TAKE INTO CONSIDERATION THE MORE THAN 80 U.S.C.A VIOLATIONS UNCOVERED AND REPORTED BY THE FEDERAL INQUIRY CONDUCTED ON THE D.C.C, I.E, DELAWARE D.O.C, 2007, IN SUPPORT HEREIN DUE TO THE MAJORITY OF PLAINTIFF'S CLAIM BEING FILED PRIOR TO THE FEDERAL INQUIRY, AND GAVE INSIGHT TO SAID INQUIRY.

#82.) APON BEING ADMITTED TO THE PCC INFIRMARY ON 12/14/07, PLAINTIFF REQUESTED A HIGH PROTEIN DIET FOR RED MEAT VEGETARIANS, ENSURE HEALTH SHAKE, PEANUT BUTTER INSTEAD OF RED MEAT, AND A ONE A DAY VITAMIN FOR THE PURPOSE TO FULFILL HIS RELIGIOUS OBLIGATION AND FOR PROPER PROTEIN SUPPLEMENTATION; DR O DURING JAN 2008 APPROVED SAID REQUEST AND WROTE A REFERRAL FOR PLAINTIFF, THAT DEFENDANTS REFUSE TO ALLOW THE DIETICIAN TO ORDER DUE TO THE CIVIL COMPLAINTS HE FILED AGAINST THEM.

PLAINTIFF IS A HEBREW ISRAELITE, (SEE 2/21/08 LETTER TO WARDEN).

1<sup>ST</sup>, 8<sup>TH</sup> & 14<sup>TH</sup> U.S. CA VIOLATIONS, (38 POUND WEIGHT LOSS IN 90 DAYS).  
VIOLATIONS OF 11 DEC C § 6517, 6502, 6504, 6536, 6524, 6531

#83.) FOR AN IMMEDIATE ORDER FOR A HIGH PROTEIN DIET OF 2 ENSURES DAILY, PEANUT BUTTER INSTEAD OF RED MEAT, 1 PIECE OF FRESH FRUIT EACH MEAL, AND A ONE A DAY VITAMIN DAILY, FOR RELIGIOUS ~~WELL~~ AND SUPPLEMENTAL PROTEIN AND NUTRITIONAL PURPOSES

#84.) FOR AN ORDER GRANTING THIS HONORABLE COURT AUTHORITY TO CONDUCT A FEDERAL INQUIRY, TO INVESTIGATE THE DEMISE OF THE PLAINTIFF, AS WELL AS TO GRANT POWER OF ATTORNEY TO PLAINTIFF'S DAUGHTERS, LAFOYA JOHNSON AND JAMARA JOHNSON, FOR ALL OF HIS PENDING CIVIL COMPLAINTS, CA NO'S 04-1350(GMS), 06-778 (GMS), 05-013(GMS), 06-238(GMS) AND 04-1410(GMS).

#85.) THE PLAINTIFF FILED NUMEROUS CASE WITH THE COURTS WHILE AT THE D.C.C., FOR WHICH HE DID NOT HAVE TO PAY POSTAL FEES DUE POSTAL FEES BEING FREE AT THE TIME, VIA STATE MAIL COURIER SERVICE, BUT AROUND DEFENDANTS REALIZING PLAINTIFF FILED CIVIL COMPLAINT AGAINST STATE EMPLOYEES, THEY MADE ~~THE~~ THE STATE MAIL COURIER SERVICE UNAVAILABLE TO PLAINTIFF, CAUSING PLAINTIFF TO PAY POSTAL FEES WITHOUT ALLOWING PLAINTIFF TO GRIEVE SAID CHANGE IN POSTAL RULES, VIA P.L.R.A, BUT CONTINUE TO UTILIZE SAID STATE MAIL COURIER SERVICE THEMSELVES. DEFENDANTS ACTIONS, ALONG WITH PLACING HIM IN SEGREGATION, WITHOUT PROVIDING HIM WITH A JOB, EVEN THOUGH HE WAS ELIGIBLE, HAS CAUSED PLAINTIFF TO BECOME TOTALLY INDIGENT ~~AND~~ AN UNABLE TO OBTAIN COMMISSARY, NEW SNEAKERS, T-SHIRTS, LIKE OTHER INMATES, AND HAS CAUSED HIM ATYPICAL AND SIGNIFICANT HARDSHIP. THIS WAS DONE TO DISCOURAGE PLAINTIFF FROM SEEKING REDRESS FROM THE COURTS. SEE ALSO # 72 HEREIN; (SEE PLAINTIFF'S 2/21/08 NOTATION ATTACHED AS EXHIBIT). 1ST AND 14TH U.S.C.A RIGHT VIOLATIONS.

#86.) ON FEB 2008 PLAINTIFF SUBMITTED APPLICATION FOR INTERSTATE PRISON TRANSFER TO CLASSIFICATION OFFICER LT THOMAS SEACORD AND LINDA KEMP COUNSELOR, STATING ATYPICAL AND SIGNIFICANT HARDSHIPS, I.E, NO VISITS SINCE BEING INCARCERATED IN DELAWARE 5/26/03, BEING SUBJECTED TO GENDER DISCRIMINATION, HARASSMENT, BEING SUBJECTED TO IRREPARABLE HARM BY INMATES AND OFFICERS DUE TO FILING CIVIL COMPLAINTS, NOT BEING TRANSFERRED TO LEVEL II HIS NEXT LEVEL OF COMMITMENT, BEING TREATED WITH DELIBERATE INDIFFERENCE BY MEDICAL & MENTAL HEALTH STAFF, ETC. LT SEACORD STATED, "I QUOTE THIS IS GOING TO BE DENIED," UNQUOTE. 1ST 8TH & 14TH U.S.C.A VIOLATION. VIOLATION OF 11 DEC C 6517, 6504, 6402, 6531

# 87.) FOR AN ORDER TO PRODUCE LT PETER FORBES DISCIPLINARY RECORD, DUE TO LT FORBES HAVING THE TYPE OF DISCIPLINARY HISTORY, THAT SUPPORTS THE PLAINTIFF'S CLAIMS.

# 88.) BECAUSE OF THE IRREPARABLE HARM CAUSED TO INMATES DURING THEIR CONFINEMENT AT THE D.C.C, D.C.C HAS BEEN RATED AS ONE OF THE TOP TEN WORST PRISONS IN THE UNITED STATES BY THE U.S FEDERAL BUREAU OF INVESTIGATION.

# 89.) THE 2007 FEDERAL INQUIRY CONDUCTED AT THE D.C.C SUPPORTS THE FACT THAT THE DEFENDANTS HAVE NOT TAKEN PROPER ACTION TO REHABILITATE THE PLAINTIFF, DUE TO THEIR DELIBERATE INDIFFERENCE BECAUSE HE FILED CIVIL COMPLAINTS AGAINST THEM, FOR WHICH INEVITABLY WILL CAUSE PLAINTIFF IRREPARABLE HARM, DUE TO DEFENDANTS DENYING PLAINTIFF HIS REQUEST FOR JOB TRAINING, BEHAVIOR MODIFICATION FOR ALLEGED INAPPROPRIATE BEHAVIOR, HIGH LEARNING COURSE HERE OR VIA U.S POSTAL, ANGER MANAGEMENT, COUNSELING AND TREATMENT PROGRAMS, THAT THE STATE OF DELAWARE'S CONGRESSIONAL COMMITTEE HAS MADE AVAILABLE FOR HIM UNDER COLOR OF STATE LAW, AS WELL AS UNDER THE PROTECTION OF THE U.S.C, FOR WHICH THE DEFENDANTS DENIED PLAINTIFF'S REQUEST, WITHOUT A HEARING PROVIDING WRITTEN NOTICES OF WHY, FACT FINDING RATIONAL, PRESENT EVIDENCE IN HIS OWN BEHALF, CONFRONT HIS ACCUSERS OR APPEAL. DEFENDANT KNOW VERY WELL THAT SAID DENIAL, PREVENTS PLAINTIFF FROM PRESENTING AS A STABLE MINDED, LAW ABIDING, TAX PAYING, MARKETABLE CITIZEN WHEN HE IS RELEASED, AND HAS DENIED PLAINTIFF THE ABILITY TO RATIONALLY AND REALISTICLY NOT CONSIDERING RE-OFFENDING, SEE DISCIPLINARY HISTORY, CRIMINAL HISTORY, SENTENCING ORDER. 1ST, 6TH, 8TH + 14TH USCA VIOLATIONS, AND 110ELC 6512, 6504, 6524, 6533, 6531

#90.) AN ORDER FOR A INDEPENDANT LEGAL ASSISTANCE GROUP OR FIRM, TO ASSIST PLAINTIFF AND INMATES FILE DIRECT APPEALS, POST CONVICTION APPEALS, WRIT OF HABEAS CORPUS PETITIONS AS WELL AS CONDITION OF CONFINEMENT CIVIL COMPLAINTS.

#91.) FOR AN ORDER TO ALLOW SHU AND MHU INMATES SUCH AS PLAINTIFF, TO TAKE THE GED TEST, AND TO TAKE COLLEGE COURSES HERE AND VIA U.S POSTAL.

#92.) THE 2007 FEDERAL INQUIRY SUPPORTS THE PLAINTIFFS CONTENTIONS THAT D.C.C DOES NOT MET THE STANDARD FOR AN EVOLVING SOCIETY, REGARDING TECHNOLOGY, EDUCATION, COMMISSARY INFLATION, INSTITUTION JOB SALARIES, INDIGENCY, JOB TRAINING, ACCEDIM~~ME~~C / VOCATIONAL TRAINING, PRE RELEASE CARE, POST RELEASE CARE, MENTAL HEALTH EVALUATION AND TREATMENT, MEDICAL EVALUATION AND TREATMENT, DISCIPLINARY PROCEPURES, CLASSIFICATION OF INMATES.

#93.) FOR AN ORDER FOR DEFENDANTS TO PROVIDE INCOME APON THE PLAINTIFFS RELEASE FOR SUPERVISED CUSTODY, FOR RENT, TRANSPORTATION, CLOTHING, FOOD, MEDICAL AND OR MENTAL HEALTH TREATMENT, FOR UP TO ONE YEAR AFTER HIS RELEASE FROM SUPERVISED CUSTODY, AND OR UNTIL HE CAN PROPERLY PROVIDE FOR HIMSELF.

ESTABLISHED 143 YEARS AGO IN 1865, THE ELEMENTS OF SLAVERY AND INVOLUNTARY SERVITUDE, PRIOR TO THE COMPLETION OF APPEAL PROCEDURE, IS WHY #94) THE 13TH U.S.C.A HAS ALLOWED DEFENDANTS TO THREATEN HIM IN A INHUMAN MANNER, LIKE A SUBJUGATED BEAST OF BURDEN - HANDCUFFED - SHACKLED - WITH AND WITHOUT BLACKBOX - INDIGENT - ALIENATED, DISCRIMINATED AGAINST - CONDEMNED, OPPRESSED AS STATED HEREIN, MAKING A ECONOMIC PROFIT OF HIS SUBJUGATED BEAST OF BURDEN CONDITIONS OF CONFINEMENT, ALL THE WHILE PLAINTIFF IS COMPELED TO WAIT TO BE SUBJECTED TO RECIDIVISM BECAUSE OF THEIR DELIBERATE INDIFFERENCE OF REFUSING TO TRAIN - TREAT AND COUNSEL. (SEE MASLOW'S HIERARCHY OF NEEDS). [HTTP://HONOLULU.HAWAII.EDU/INTRANET/COMMITTEES/FACDEVCOM/GUIDEBK/TEACHTIP/MASLOW](http://honolulu.hawaii.edu/intranet/committees/facdevcom/guidebk/teachtip/maslow). THE 13TH U.S.C.A NEEDS TO BE AMENDED FOR ITS ROLE IN DENYING PLAINTIFFS BOTH U.S.C.A RIGHTS. THE 13TH U.S.C.A GIVES REASON WHY D.C.C. CAN'T NOT AND WILL NOT EVOLVE IN ACCORDANCE TO MODERN STANDARDS AS STATED HEREIN.

#95.) FOR THIS HONORABLE COURT TO TAKE PLAINTIFFS PRO-SE STATUS INTO CONSIDERATION, AND TO UTILIZE THE FORUM OF THE COURT, TO ISSUE ALL NECESSARY ORDERS THAT WILL ALLOW THE PLAINTIFF TO MARSHALL DISCOVERY NEEDED TO MAKE A COMPETENT JUDICIAL RULING, REGARDING ANY AND ALL CONTENTENTS STATED HEREIN.

#96.) FOR AN ORDER TO IMMEDIATELY TRANSFER PLAINTIFF ~~FROM~~ OUT OF THE DELAWARE D.O.C AT D.C.C., IN REGARDS TO HIS FUTURE INCARCERATION, FOR ALL THE REASONS STATED HEREIN.



# 97.) DEFENDANTS HAVE FAILED TO GIVE PLAINTIFF A DISCIPLINARY HEARING WITHIN 3 - 7 AND OR 15 DAYS, ABSENT EXTRAORDINARY CIRCUMSTANCES, FOR ANY DISCIPLINARY ANTI-TRACTIONS AND SANCTIONS ~~WHICH~~ HE RECEIVED AFTER 12/14/07, FOR WHICH VIOLATED HIS PROCEDURAL AND SUBSTANTIVE DUE PROCESS RIGHTS, AND GIVES REASON WITH ALL DISCIPLINARY REPORTS AND SANCTIONS SHOULD BE REINDED AND EXUNGED. VIOLATIONS OF 11 DEL C 6535 AND 14TH U.S.C.A.

# 98.) DUE TO THE PLAINTIFF'S LACK OF PROPER ACADEMIC/VOCATIONAL TRAINING, MENTAL HEALTH AND MEDICAL TREATMENT AND COUNSELING, RESULTED IN HIS ~~REMARKABLE~~ ALLEGED CRIMINAL ACTIVITY, THAT GAVE JUDGE PEGGY L. ABLEMAN THE AUTHORITY TO COMMIT THE PLAINTIFF TO THE D.O.C VIA THE D.C.C, WITH AN N.C.C SUPERIOR COURT ORDER FOR THE D.O.C TO MAKE A PROPER ATTEMPT TO CORRECT THE ERRORS OF PLAINTIFFS WAYS, BUT THE DEFENDANTS DELIBERATE INDIFFERENCE DEFINES THAT THEY IGNORED TRYING TO PROPERLY ATTEMPT TO CORRECT THE PLAINTIFFS ERRONEOUS WAYS AND ~~UNWANTED~~ BEHAVIORS, DUE TO THEIR HOLDING HIM CAPTIVE AT LEVEL(S) ABSENT PROPER TRAINING, TREATMENT AND OR COUNSELING (AS STATED HEREIN # 89), WHEN ~~STAND~~ THE AFOREMENTIONED WAS IN THEIR ~~ABILITY~~ ABILITY, DUE TO THEIR PROVIDING OTHER INMATES WITH PROPER TRAINING - TREATMENT AND OR COUNSELING. DEFENDANTS KNOW SAID DENIALS WOULD SUBJECT HIM TO RECIDIVISM UPON HIS RELEASE FROM SUPERVISED CUSTODY. DEFENDANTS DENIED PLAINTIFF DUE TO HIS FILING CIVIL COMPLAINTS. VIOLATIONS OF 1ST, 8TH AND 14TH U.S.C.A RIGHTS VIOLATIONS OF 11 DEL C § 6533, 6517, 6502, 6504, 6525, 6524, 6531

#99.) PLAINTIFF DOESNT HAVE TO HAVE A PSYCHOLOGICAL DIAGNOSIS FROM THE MENTAL HEALTH STAFF, TO BE ELIGIBLE FOR THE (SPECIAL NEEDS UNIT), SNU UNIT, IT HAS A PROTECTED LIBERTY INTEREST.

#100.) FOR AN ORDER FOR DEFENDANTS TO PROVIDE THE D.C.C SPECIAL NEEDS UNIT POLICY.

#101.) THE D.C.C IS A BREEDING GROUND FOR HABITUAL OFFENDERS DUE TO CONDITIONS OF CONFINEMENT STATED HEREIN IN #'S 94 ~~AND~~, 99 AND 98.

#102.) ON 4/21/08 LT THOMAS SEACORD AND SHU 17'S COUNSELOR, LINDA KEMP ABRUPTLY TOOK ME OFF PROTECTIVE CUSTODY WITHOUT THE PLAINTIFF'S WRITTEN CONCENT; ~~AND WITHOUT~~ AND OR WITHOUT PROVIDING HIM WITH A HEARING TO GIVE HIM WRITTEN NOTICE WHY, A NOTICE OF FACTFINDING RATIONAL, A CHANCE TO APPEAL, DUE TO THEIR BEING INSTRUCTED ~~BY~~ BY DEFENDANTS TO DO SO AGAINST PLAINTIFF'S WILL. VIOLATION OF 11 DEL C 6531, 6517, 6502, 6504 VIOLATION OF 14TH U.S.C.A RIGHT; (SEE MAY 11, 2007 AFFIDAVIT ATTACHED AS EXHIBIT).



# CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF ~~DAVE~~ JIMMIE LEWIS  
DOE HEREBY CERTIFY ON THIS 22ND DAY OF APRIL,  
2008, THAT I DID MAIL ONE AND CORRECT COPY  
OF PLEADINGS AND EXHIBITS IN SUPPORT OF MOTION  
FOR PRELIMINARY INJUNCTION #2, PURSUANT TO  
FED R CIV P #65, BY U.S. POSTAL, TO EACH OF  
THE FOLLOWING:

CLERK OF THE COURT (GMS)  
81-5 DISTRICT COURT  
844 N. KING ST, LOCKBOX 18  
WILM, DE 19801

JAME E. DRAKE ESQ  
BALICK & BALICK LLC  
711 KING ST  
WILM, DE 19801

ERIKA Y TROSS  
DEPUTY ATTORNEY GENERAL  
820 N FRENCH ST, 6TH FL  
WILM, DE 19801

DATE: 4/22/08

Jimmie Lewis  
SB #506622  
DCC  
1181 PADDOCK RD  
SMYRNA, DE 19977

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

IN AND FOR NEW CASTLE COUNTY

DELAWARE PSYCHIATRIC CENTER,  
a Facility of and for and on behalf of, the  
Division of Substance Abuse and  
Mental Health, Delaware Health and  
Social Services, State of Delaware,  
Petitioner

v.

JAMES LEWIS

Respondent

AFFIDAVIT

I, Ulrike Greeley, MSN, APRN first duly sworn in accordance with law  
declare as follows:

1. I am the Assistant Director of Nursing at the Delaware Psychiatric Center, the petitioner in the above captioned matter; and

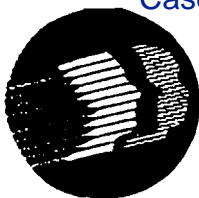
2. The facts alleged in the foregoing Complaint are true and correct to  
the best of my knowledge and belief.

  
HOSPITAL OFFICIAL

SWORN TO AND SUBSCRIBED before me this 7th day of June 2007.

  
NOTARY PUBLIC

Elizabeth Ann Hurley  
Commission Expiration: 10/19/09



**DEPARTMENT OF HEALTH  
AND SOCIAL SERVICES**

**DIVISION OF ALCOHOLISM,  
DRUG ABUSE AND MENTAL HEALTH**

**1901 N. DUPONT HIGHWAY  
NEW CASTLE, DELAWARE 19720**

6  
9 11840443 49-64-1300 CHH AF S  
UNKNOWN HMONND  
S 31 488 5993 AREA 6  
7736761 ANNIE'S 103706/07

(Addressograph Plate) P4 46422

**CERTIFICATE FOR INVOLUNTARY ADMISSION OF PATIENT TO DELAWARE PSYCHIATRIC  
CENTER AND/OR CERTIFIED TREATMENT FACILITY PURSUANT TO DELAWARE CODE  
CHAPTER 50, TITLE 16**

Title 16, Section 5003, Delaware Code

**5003. Provisional Hospitalization by Psychiatrist's Certification.**

No person shall be involuntarily admitted to the Hospital as a patient except pursuant to the written certification of a psychiatrist that based upon the psychiatrist's examination of such person, such person suffers from a disease or condition which required him to be observed and treated at a mental hospital for his own welfare and which either renders such person unable to make responsible decisions with respect to his hospitalization, or poses a present threat, based upon manifest indications, that such person is likely to commit or suffer serious harm to himself or others or to property, if not given immediate hospital care and treatment. The certificate shall state with particularity the behavior and symptoms upon which the psychiatrist's opinion is based, shall include (where available) the name and address of the spouse or other nearest relative or person of close relationship to the alleged mentally ill person, and shall state that such person is not willing to accept hospital care and treatment on a voluntary basis or that he is incapable or voluntarily consenting to such care and treatment.

**PART 1. (to be completed by certifying psychiatrist)**

The undersigned certifies that he is a physician licensed to practice medicine in the State of Delaware and specializing in the field of psychiatry and he has examined:

James Lewis (Timothy Lewis)  
Name of Patient

Delaware Psy. Center 1901 N. Dupont Hwy New Castle, De. 19320  
Address of Patient

Age 30 Date of Birth 12-25-'66 Religion \_\_\_\_\_

Patient's spouse, other nearest relative, or person of close relationship:

\_\_\_\_\_  
(Name) (Relationship)

\_\_\_\_\_  
(Address) (Telephone No.)

As a result of my examination of the patient, I am of the opinion that the patient suffers from a disease or condition which requires him (or her) to be OBSERVED and TREATED at a MENTAL HOSPITAL for his (or her) own welfare.

☒ renders the patient unable to make responsible decisions with respect to his hospitalization

☐ poses a present threat, based upon manifest indication, that the patient is likely to commit or suffer serious harm:

☒ to himself (or herself) ☒ to others ☒ to property

if not given immediate hospital care and treatment.

The behavior and symptoms upon which my opinion is based are as related to me by others (state whom):

CMS (Prison) Psychiatric Staff. It is refusing medications and described as delusional by the Psychiatrist

as observed during my examination of the patient:

Acting as though he is hearing voices.  
Acting as though he is suspicious of others standing behind him  
It reports paranoid beliefs he is being poisoned.

And further:

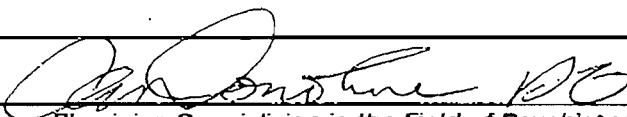
☐ the patient is not willing to accept hospital care and treatment on a voluntary basis.

☒ the patient is incapable of voluntarily consenting to hospital care and treatment.

Name of family physician or psychiatrist Doro Hue

Physical conditions which requires immediate or continuous attention:

Hypertension

Signed: , M.D.  
Physician Specializing in the Field of Psychiatry

Doro Hue, M.D.  
Name Printed

Address: 1901 N. DuPont Highway New Castle, DE 19720

Date: 6/6/07 Time: 11:25 AM P.M.

PART 2. (to be completed by Hospital staff after provisional admission)

**NOTIFICATION OF RIGHTS**

I certify that I have this day delivered to a copy of 16 Del. C., Sec. 5161, Rights of Patients in Hospitals for the Mentally Ill, and other rights set forth in Title 16, Delaware Code.

Received: [Signature]  
(Patient's Signature)

Name: Bobby Benjamin

Title: Social Worker

OR

Patient refused to sign \_\_\_\_\_

Date: June 6, 2007

**CERTIFICATION OF MENTAL ILLNESS AND NEED FOR TREATMENT (to be completed only when provisional admission was made on the certificate of a psychiatrist not employed by DELAWARE PSYCHIATRIC CENTER)**

I have examined the Psychiatrist's Certificate for Involuntary Admission of Patient to Delaware Psychiatric Center in the case of

\_\_\_\_\_  
(Name of Patient)

and have personally conducted a psychiatric examination of the patient; the behaviors and symptoms observed during my examination of the patient are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

In my opinion, the patient:

**IS/IS NOT** a mentally ill person requiring hospital confinement.  
(Strike One)

**DOES/DOES NOT** require treatment pending judicial proceedings under provisions of 16 Del. C. Ch. 50. (Strike One)

**IS/IS NOT** capable of waiving procedural right including retention of counsel, retention of psychiatrist or other qualified medical expert to testify in his behalf, and the hearing in Court.

\_\_\_\_\_  
Signature of Examining Psychiatrist

\_\_\_\_\_  
Date

Based upon financial information obtained from

Name of Informant

Relationship

I am of the opinion that

Patient's Name

☐ Can afford to retain legal counsel.

☒ Cannot afford to retain legal counsel.

☐ Can afford to retain a psychiatrist or other qualified medical expert.

☒ Cannot afford to retain a psychiatrist or other qualified medical expert.

Name of Guarantor (if private legal, medical or psychiatric representation is to be retained)

Street

City

State

Zip Code

Telephone

Being unable to afford private representation, the patient respectfully prays the Court to appoint and assume financial responsibility for the services of

☒ Legal Counsel

☒ Psychiatrist or other qualified medical expert

Mary Sannell

Financial Resources Examiner

6/7/07

Date

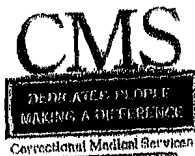
APPROVED:

Mike Cappelletto

Hospital Official

6/07/2007

Date



## Mental Health Treatment Plan

### I. Problems (check all that apply):

- ☐ Depressive Ideation  
☐ Suicidal Ideation  
☒ Agitation  
☒ Racing thoughts  
☒ Delusions  
☒ Hallucinations

- ☒ Sleep disturbance  
☐ Anger management  
☐ Limited cognitive abilities  
☐ Limited coping skills  
☐ Substance abuse/dependence

- ☐ Lack of support  
☐ Obsessions/compulsions  
☒ Excessive worry  
☐ Other:

*Needed to know he belongs  
as part of community*

### Current Diagnosis (Include substance disorders in Axis I):

Axis I: *Schizophrenia*  
 Axis II: *Depressed*  
 Axis III: *HAT*  
 Axis IV: *Overweight*  
 Axis V: *65*

### II. Strengths (check all that apply):

- ☐ Able to communicate effectively  
☐ Strong support system  
☐ Adequate educational background  
☐ Adequate vocational skills

- ☐ Good insight  
☐ Good judgment  
☐ Willingness to participate in treatment  
☐ Other:

### III. Long Term Goal: Reduce or eliminate problems noted above so that they do not impair inmate's ability functioning.

### IV. Short Term Treatment Objectives:

- ☒ Participate in psycho education regarding mental illness, signs, symptoms, and treatment  
☐ Develop coping techniques for managing:  
☒ Depressive Ideation      ☒ Anxiety      ☒ Anger/Frustration  
☐ Cognitive Limitations      ☒ Situational Stress      ☒ Fluctuating Feelings

- ☐ Refer to/Participate in substance abuse treatment  
☐ Report adequate sleeping/eating patterns  
☒ Report the reduction/absence of AH/VH  
☐ Participate in at least one productive activity daily  
☐ Participate in Interactive journaling/engage in journaling  
☐ Other:

- ☐ Participate in sex offender issues group  
☐ Take psychotropic medications as prescribed  
☐ Demonstrate organized thinking reality test  
☐ Participate in transition/discharge planning  
☒ Participate in bibliotherapy

### V. Treatment Modalities:

- ☐ Individual treatment by clinician at least every thirty days  
☐ Evaluation and treatment by psychiatrist at least every 90 days  
☐ Medication monitoring by nursing daily

- ☐ Group treatment at least once every thirty days  
☐ Independent interactive journaling  
☐ Other:

*Needed to know he  
belongs in the community*

Clinician Signature: <i>Cheryl Allen DMS</i>	Date: <i>3/13/07</i>
Title: <i>Cheryl Allen</i>	Time: <i>1513</i>
Inmate Signature: <i>James L. Lewis</i>	Date: <i>3/13/07</i>
Inmate Number: <i>506622</i>	Institution: <i>DCC</i>

SATURDAY, JULY 5, 2003

## NEWS BRIEFS

### Three injured in jump from burning boat

BRICK: Three people suffered minor burns and two others escaped injury when all five jumped from a boat that caught fire in the Barnegat Bay near the Metedeconk River yesterday, Brick Township police said.

The boat was about 30 yards out from an Ocean County marina about 4:30 p.m. when flames engulfed the craft, possibly the result of an explosion, said Sgt. Craig Lash.

All five boaters were rescued, the sergeant said. The boat, which was gutted, drifted to shore and beached itself.

### Public is asked to help find missing Newark man

NEWARK: Police are seeking the public's assistance in finding a city resident who suffers from schizophrenia and a bipolar disorder.

Jimmie Lewis Jr., 36, talked last with his mother by telephone on May 19, but wasn't reported missing until June 25, said Lt. Derek Glenn, a city police spokesman.



LEWIS

He said Lewis, described as manic depressive, is 6 feet 2 inches, weighs 230 pounds, has brown eyes, black hair and a dark skin.

Glenn said anyone with information should contact police at (973) 733-5172.



## WILMINGTON DEPARTMENT OF POLICE

EXHIBIT #

## Detainee Assessment / Property Receipt

Detainee's Name: Lewis, Jannine Case #: 30-03-  
Last, First Middle

Charges: Carjacking, Theft Arresting Officer: E Godwin  
 Additional Officer: J Santana

Detainee's Physical Condition: OK ☒ Other ☐

Explain: (Body deformities/Bruises/Sutures): \_\_\_\_\_

Medication: Yes ☒ No ☐ Type: PSYCHOTROPIC  
THORAZINE, DEPAKOTE, VISTARIL, RISPERDAL

Unusual Behavior:

Explain: DETAINEE STATED THOUGHTS OF SUICIDE,  
TRANSFERRED TO M.P.C.J.F INFIRMARY

## Detainee's Property

## Seized as Evidence

Currency/Coin U.S. Currency: 7.00  
 U.S. Coin: 2.26  
 Total: 9.26

U.S. Currency: \_\_\_\_\_  
 U.S. Coin: \_\_\_\_\_  
 Total: \_\_\_\_\_

(Have detainee initial next to totals)

Clothing: BELT, WALLET WITH S.S CARD, LICENCES (NT).

Jewelry: NECKLESS WITH EGYPTION CROSS, DEVIL HORNS AND  
CAT EYE CONTACT LENSES

Miscellaneous: 3 SETS OF KEYS (ONE SET VICTIMS),  
PSYCH TREATMENT PLAN, AIRTRACK TRAIN TICKET

[Signature]  
 Officer Receiving Property

05/26/03  
 Date

0621 hours  
 Time

[Signature]  
 Transporting Officer Date

\_\_\_\_\_ hours  
 Time

I, \_\_\_\_\_, have received the above property from the Wilmington Department of Police, which was taken from me on the above date. \_\_\_\_\_ hours.

Date

Time

Name	Phase	SNU Phase Report 8/28/06-9/3/06					
Brown, Fred	2	Day Rec Only, No Evening Rec					
Bryant Waples	2	Day Rec Only, No Evening Rec					
Martin, Micheal	2	Day Rec Only, No Evening Rec					
Norman Banks	<del>2</del>	Day Rec Only, No Evening Rec					
Dale Stevenson	3						
Stanley King	4						
Wayne Thomas	4						
Brooks, Darren	4						
Bryan Selhorst	4						
Chapman, Tremaine	4						
Darius Johnson	4						
Dennis, Chris.	4						
Dixon, Kevin	4						
<b>Dolan, Michael</b>	4	<b>Community Leader News</b>					
Drozdowski, Benard	4						
Flamer, Jerel	4						
Forrester, Chris	4						
Frank, Richard	4						
Glaze, Billy	4						
Godfrey, Clarence	4						
Hull, Robert	4						
<b>Jimmy Lewis</b>	4	<b>Activity Leader</b>					
Lamar Trower	4						
Leonard Baylis	4						
Mathews, Willis	4						
Michael Chicosky	4						
Miller, Tyrone	4						
Minor, Samuel	4						
Murray, William	4						
Norris Durham	4						
Novello, William	4						
Quirico, Hector	4						
Roy Campbell	4						
Scott, Ronald	4						
Sheats, John	4						
<b>Ternahan, John</b>	4	<b>Community Leader/Environmental</b>					
Williams, Willie	4						
Wright, Floyd	4						
Zickgraf, Steven	4						

	Phase	SNU Phase Report 8/7/06-8/13/06					
Selhorst	2	Day Rec Only, No Evening Rec					
Waples	2	Day Rec Only, No Evening Rec					
Crosby	2	Day Rec Only, No Evening Rec					
artin, Micheal	2	Day Rec Only, No Evening Rec					
Norman Banks	2	Day Rec Only, No Evening Rec					
Lamar Trower	3						
Novello, William	4						
Sheats, John	4						
Brooks, Darren	4						
Brown, Fred	4						
Chapman, Tremaine	4						
Darius Johnson	4						
Dennis, Chris.	4						
Dixon, Kevin	4						
<b>Dolan, Michael</b>	4	<b>Community Leader News</b>					
Drozdowski, Benard	4						
Flamer, Jerel	4						
Forrester, Chris	4						
Frank, Richard	4						
Glaze, Billy	4						
Godfrey, Clarence	4						
Hull, Robert	4						
<b>Jimmy Lewis</b>	4	<b>Activity Leader</b>					
Leonard Baylis	4						
Mathews, Willis	4						
Michael Chicosky	4						
Miller, Tyrone	4						
Minor, Samuel	4						
Murray, William	4						
Norris Durham	4						
Quirico, Hector	4						
Roy Campbell	4						
Scott, Ronald	4						
<b>Ternahan, John</b>	4	<b>Community Leader/Environmental</b>					
Williams, Willie	4						
Wright, Floyd	4						
Zickgraf, Steven	4						

Name	Phase	23-D - SNU Phase Report 4/9/07 - 4/15/07
Stevenson Dale	<del>2</del>	
Bridges, Travis	3	
Brophy Robert	3	
Chicosky Michael	3	
Godfrey Clarence	3	
Waples Bryan	3	
Baylis Leonard	4	
Blackburn John	4	
Brooks Darren	4	
Campbell Roy	4	
Chapman Tremayne	4	
Crosby, David	4	
Dennis Christopher	4	
<b>Dickerson Louis</b>	4	<b>Environmental Leader</b>
Dixon Kevin	4	
Dolan Michael	4	
Durham Norris	4	
Flamer Jerel	4	
Glaze Billy	4	
Johnson Darius	4	
Miller Tyrone	4	
Minear Clayton	4	
Mitchell Jesse	4	
Murray William	4	
Nieves Luis	4	
Novello William	4	
<b>Pierce Lyle</b>	4	<b>Activity Leader</b>
Scott Ronald	4	
<b>Williams Dana</b>	4	<b>Community Reporter/News</b>
Williams Willie	4	
Zickgraf Steven	4	

23-D 10  
Juv

<b>23D CLEANUP SCHEDULE</b>		<b>MARCH 07,</b> Environmental Leader for MARCH John Blackburn
<b>DATE</b>	<b>UPPER</b>	<b>LOWER</b>
1	WILLIAM NOVELLO	LYLE PIERCE
2	LEONARD BAYLIS	JESSIE MITCHELL
3	LOUIS DICKERSON	RONALD SCOTT
4	JEREL FLAMER	MICHAEL CHICOSKY
5	MICHAEL DOLAN	ROY CAMPBELL
6	CLARENCE GODFREY	DALE STEVENSON
7	DARREN BROOKS	WILLIE WILLIAMS
8	WILLIAM MURRAY	BILLY GLAZE
9	DARIUS JOHNSON	TREMAYNE CHAPMAN
10	MICHAEL DOLAN	NORRIS DURHAM
11	WILLIAM NOVELLO	BRYANT WAPLES
12	CLAYTON MINEAR	LUIS NIEVES
13	JIMMY LEWIS	DANA WILLIAMS
14	TYRONE MILLER	CHRISTOPHER DENNIS
15	KEVIN DIXON	STEVEN ZICKGRAFT
16	WILLIAM NOVELLO	LYLE PIERCE
17	LEONARD BAYLIS	JESSIE MITCHELL
18	LOUIS DICKERSON	RONALD SCOTT
19	JEREL FLAMER	MICHAEL CHICOSKY
20	JIMMY LEWIS	ROY CAMPBELL
21	CLARENCE GODFREY	DALE STEVENSON
22	DARREN BROOKS	WILLIE WILLIAMS
23	WILLIAM MURRAY	BILLY GLAZE
24	DARIUS JOHNSON	TREMAYNE CHAPMAN
25	MICHAEL DOLAN	NORRIS DURHAM
26	LOUIS DICKERSON	BRYANT WAPLES
27	CLAYTON MINEAR	LUIS NIEVES
28	JIMMY LEWIS	DANA WILLIAMS
29	TYRONE MILLER	CHRISTOPHER DENNIS
30	KEVIN DIXON	<del>STEVEN ZICKGRAFT</del> <i>Flamer</i>
31	WILLIAM NOVELLO	LYLE PIERCE

Participating in cleanup is considered a part of the Special Needs Unit Program. Each person is a part of the community and therefore should do their part to help keep the environment clean.

\*If you choose not to help when it is your turn on the schedule, you will lose points, which will most likely affect your phase level. Acceptable excuses include being out for an appointment, visit, etc., or a valid sick call slip being submitted. Security staff will be given the schedule to know who to allow out during cleanup time. Staff will inform them of any substitutions for the day.

\*The Environmental Leader changes each month. They are to come out daily with those listed above to participate and lead the cleanup process.



**PUBLIC DEFENDER OF THE STATE OF DELAWARE  
900 N. KING STREET, SECOND FLOOR  
WILMINGTON, DELAWARE 19801**

LAWRENCE M. SULLIVAN  
PUBLIC DEFENDER

BRIAN J. BARTLEY  
CHIEF DEPUTY

DAWN M. WILLIAMS  
ASSISTANT PUBLIC DEFENDER

TELEPHONE (302) 577-6025 x 3011

March 3, 2008

The Honorable Alex J. Smalls  
Chief Judge  
Court of Common Pleas  
New Castle County Courthouse  
500 N. King Street  
Wilmington, DE 19801

**Re: State of Delaware v. Jimmy Lewis  
Case No. 0801012699**

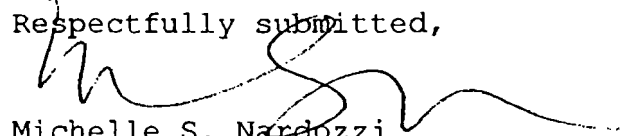
Dear Chief Judge Smalls:

Our office represents Mr. Lewis on the above case currently pending in the Court of Common Pleas. It was determined by Judge Welch, in agreement with myself and the State, that Mr. Lewis was in need of a psychiatric evaluation. He is presently being held at Delaware Correctional Center and the staff at DCC concur that he has mental health issues.

I am requesting Your Honor sign the enclosed Order for a Competency Evaluation at the Delaware Psychiatric Center for Mr. Lewis.

I am available if Your Honor has any questions or concerns regarding this request.

Respectfully submitted,

  
Michelle S. Nardoizzi  
Assistant Public Defender

MSN/mcg

## STATE OF DELAWARE

v.

JIMMY LEWIS

Defendant

Case No. 0801012699

AND NOW, TO WIT, this 25 day of March A.D.,  
2008, the foregoing having been heard and considered, it is  
hereby;

ORDERED that the defendant, Jimmy Lewis, be transferred from the Delaware Correctional Center to the Delaware Psychiatric Center for a psychiatric and competency evaluation to determine competency and obtain treatment for his own well-being.

JUDGE

Date: March 3, 2008

COURT OF COMMON PLEAS CRIMINAL DOCKET  
( as of 03/19/2008 )

Page 1

State of Delaware v. JIMMY LEWIS  
 State's Atty: , Esq.  
 Defense Atty: DEFENDER PUBLIC , Esq.

DOB: 12/25/1966  
 AKA: EMMANUEL E ELDER  
 EMMANUEL E ELDER

Assigned Judge:

## Charges:

Count	DUC#	Crim.Action#	Description	Dispo.	Dispo. Date
001	0801012699	MN08013012	DISORD CONDUCT		
002	0801012699	MN08013013	ASSAULT 3RD		
003	0801012699	MN08013014	ASSAULT 3RD		

No.	Event Date	Event	Judge
	01/14/2008	CASE FILED ON 01/14/2008; ARREST DATE 01/11/2008 ARRAIGNMENT SCHEDULED FOR SECURED BAIL-HELD	
		MN08013012 DE111301001A DISORD CONDUCT	1,500.00
		MN08013013 DE1106110001 ASSAULT 3RD	
		MN08013014 DE1106110001 ASSAULT 3RD	
	01/14/2008	ARRAIGNMENT SCHEDULED FOR 01/15/2008 AT 01:35 PM SECURED BAIL-HELD	1,500.00
	01/15/2008	DEFENDANT PLED NOT GUILTY AND DEMANDED JURY TRIAL. SECURED BAIL-HELD	1,500.00
	01/15/2008	JURY TRIAL SCHEDULED FOR 05/15/2008 AT 08:30 AM	
	02/27/2008	MOTION FOR PSYCHIATRIC EVALUATION SCHEDULED 3/14/2008 AT 08:30 AM MOTION TO COMPEL DISCOVERY	
	03/14/2008	MOTION WITHDRAWN; REQUESTED BY PUBLIC DEFENDER. DISCOVERY RECEIVED.	WELCH JOHN K.

\*\*\* END OF DOCKET LISTING AS OF 03/19/2008 \*\*\*  
 PRINTED BY: CCPKGOO



COURT OF COMMON PLEAS CRIMINAL DOCKET  
( as of 02/27/2008 )

Page 1

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	01/15/2008	DEFENDANT PLED NOT GUILTY AND DEMANDED JURY TRIAL. SECURED BAIL-HELD 1,500.00	
	01/15/2008	JURY TRIAL SCHEDULED FOR 05/15/2008 AT 08:30 AM	

\*\*\* END OF DOCKET LISTING AS OF 02/27/2008 \*\*\*  
 PRINTED BY: CCPKGOO

Defendant Name:

AKA: <u>Lewis, Jimmy</u>		Judge: <u>PLA</u>
ID Number: <u>D305616966</u>		DOB: <u><del>12-05-44</del></u>
Criminal Action Number:		Charge:
Prefix <u>N</u> Number <u>D3-06-0176</u> Suffix	<u>Theft 1000 or &gt;</u>	
FINANCIAL		
<input type="checkbox"/> Pay Costs	<input type="checkbox"/> Costs Suspended	<input type="checkbox"/> Pay Fine \$ <input type="checkbox"/> 15% <input type="checkbox"/> 18% <input type="checkbox"/> Fine Suspended:
IMPRISONMENT/PROBATION		
<input type="checkbox"/> In Violation of Probation/Contempt <input type="checkbox"/> Revoked <input type="checkbox"/> Continued <input type="checkbox"/> Modified <input type="checkbox"/> Discharged		
Effective:		Beginning: _____
Be imprisoned for <u>2</u> years _____ months _____ days At Level <u>5</u>		Ending: _____
Level 5 Treatment: _____		Eff Date: _____
<input type="checkbox"/> Min. Mandatory Time: _____ Title/Sec: _____		<input type="checkbox"/> Credit for <input type="checkbox"/> Time Served
<input type="checkbox"/> Suspended Immediately		
<input checked="" type="checkbox"/> Susp After <u>1y</u>	<input type="checkbox"/> time served for <u>1y</u> at Level <u>4</u>	<input checked="" type="checkbox"/> Plummer/Home Conf/Day Reporting
<input checked="" type="checkbox"/> Susp After <u>6m</u>	<input type="checkbox"/> time served for <u>6m</u> at Level <u>3</u>	<input type="checkbox"/> Plummer/Home Conf/Day Reporting
<input type="checkbox"/> Susp After _____ <input type="checkbox"/> time served for _____ at Level _____ <input type="checkbox"/> Plummer/Home Conf/Day Reporting		
Followed By: _____ at Level _____ Balance at Level _____		
Probation for _____ at Level _____ Suspended after _____ for _____ at Level _____		
<input type="checkbox"/> Consecutive to: _____ <input checked="" type="checkbox"/> Concurrent with: _____		
<input type="checkbox"/> Level 4 Sentence, Hold at: (circle one) <u>3</u> <u>5</u>		<input type="checkbox"/> Guilty but Mentally Ill, to be confined at Delaware Psychiatric Center (Delaware State Hospital) until competent.
RESTITUTION	TO:	Amount:
<input type="checkbox"/> Determined by Presentence Memo	Address:	
CONDITIONS		
<input type="checkbox"/> Pay costs, fines, restitution during _____ <input type="checkbox"/> Probationary period <input type="checkbox"/> Previously Ordered		
<input type="checkbox"/> Work Referral <input type="checkbox"/> TASC Supervision/Evaluation <input type="checkbox"/> Pay Costs of Supervision <input type="checkbox"/> One Time Fee <input type="checkbox"/> Determined by Probation <input type="checkbox"/> Community Service: _____ Hours <input type="checkbox"/> Victim <input type="checkbox"/> Codefendant <input type="checkbox"/> No Contact with _____		(circle one) <b>COMMITMENT</b>  RELEASE  DEFERRED COMMITMENT
<input type="checkbox"/> No Driving for _____ <input type="checkbox"/> Subst Abuse Eval <input type="checkbox"/> Alcohol Treatment <input type="checkbox"/> Mental Health <input type="checkbox"/> Residential Drug/Alc <input type="checkbox"/> Job Training <input type="checkbox"/> Obtain GED <input type="checkbox"/> Outpatient Drug/Alc <input type="checkbox"/> Fully Employed <input type="checkbox"/> Random Urinalysis <input type="checkbox"/> 4177 DUI Program <input type="checkbox"/> Zero Tolerance <input type="checkbox"/> Follow Original Conditions of Probation		
<input checked="" type="checkbox"/> Nolle Prosses entered on remaining charges <input checked="" type="checkbox"/> Nolle Prosses entered on Criminal Action Number(s):		
		PR \$
		SH \$
		TOTAL \$

DEF. ATTY:

DAG:

CLERK:

CT. REP:

Edinger

Robertson

Ferry

Coale